

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:12-CV-456-F

DARWIN JOHNSON, et al.,)
 Plaintiffs,)
)
 v.)
)
CITY OF FAYETTEVILLE; et al.,)
 Defendants.)

ORDER

This matter is before the court on the Order and Memorandum and Recommendation ("M&R") [DE-216] filed by United States Magistrate Judge Robert B. Jones, Jr. Therein, Judge Jones recommends that Plaintiffs' request for relief in ground two of Plaintiffs' motions to compel [DE-170; 174] be allowed.¹

Any objections to the Magistrate Judge's M&R were due within fourteen (14) days of receipt, pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(2), and Local Civil Rule 72.4(b), EDNC. The docket indicates that the M&R was served on the parties electronically on June 25, 2014. To date, no objections have been filed.

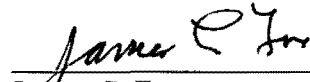
After an independent and thorough review of the Magistrate Judge's M&R and a *de novo* review of the record, the court concludes that the M&R is correct and in accordance with the law. Accordingly, the court hereby ADOPTS the Magistrate Judge's M&R [DE-216] as it own, and the court ORDERS Defendants to produce, within 14 days of this Order, Dr. Keeton's fitness for duty examination of Defendant Kohler. It is further ORDERED that the deposition of Dr. Keeton is reopened for examination regarding this report. Plaintiffs' motions to compel [DE-170; DE-174] are

¹ Judge Jones also ruled that Plaintiffs' request for relief in grounds on and three of the motions to compel [DE-170, 174] were denied, and that Plaintiffs' Motion for the Appointment of Guardian *Ad Litem* were allowed. These rulings were not part of the M&R, and need no further review from the court.

DENIED in all other respects.

SO ORDERED.

This the 29th day of July, 2014.



James C. Fox
Senior United States District Judge